

that we advocate, and if anything, noncommercial stations should be held more strictly to this commitment.

XIV. Any efforts to accommodate low-power television must not delay or impair the rapid conversion of full-power stations to HDTV.

In urging the Commission to reverse its 1992 decision to permit full-service stations to take priority over the secondary services in the implementation of ATV and not to afford low-power television (LPTV) stations priorities not generally afforded to services with secondary status,⁶⁷ the Community Broadcasters Association ("CBA") (at 7-8) claims that it is now generally conceded by most of the parties involved in the transition to digital television that multi-channel capability will be at least as important as improved definition video and audio. As discussed earlier in these Reply Comments, the preponderance of comments on the Notice proves this claim false. Proceeding from this wishful but unfounded assumption, CBA (at 8) urges that if LPTV stations cannot otherwise be accommodated, full-power broadcasters should be obligated to carry LPTV as one of their program streams, at least during the transition period.

The Commission must reject this proposal. It would force full-power stations to operate in an SDTV multicast mode in order to carry LPTV programming and would eliminate the ability of broadcasters to offer HDTV. As discussed earlier, without HDTV, free over-the-air television would become a technically inferior service, jeopardizing the Commission's paramount objective in this proceeding. In any attempts it may make to accommodate LPTV, the Commission must not adopt any policy that would delay or impair the rapid conversion of full-power stations to HDTV.⁶⁸

⁶⁷See *Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service*, Memorandum Opinion and Order/Third Report and Order/Third Further Notice of Proposed Rule Making, 7 FCC Rcd 6924, 6953-6954 (1992).

⁶⁸The Commission should reject the similar proposal of ACM (at 25). ACM naively draws the erroneous conclusion that even if HDTV is mandated, "400 MHz allocated to advanced television" could support 66 full-power stations, and laboring under this misconception, they are hard put to understand why LPTV providers must be displaced. In the first place, the Commission intends to use much less than the current 400 MHz for

XV. Conclusion

As the Commission's lengthy process for introducing a revolutionary improvement to the nation's broadcast television infrastructure enters the home stretch, a plea for resolute, timely action by the Commission is a consistent theme of the comments in this proceeding.⁶⁹ The National Consumers League (at 2) states that setting a transmission standard in an expeditious fashion will send a clear signal to investors, consumers, manufacturers and workers that America is carefully but deliberately entering a new, exciting commercial era of digital video technology. The absence of such a signal could render an entire industry stillborn. IBEW/TUE (at 6) echoes this plea, saying resolute action by the Commission is necessary if this delicate industry with such enormous potential for America, including the creation and protection of high-wage jobs, is to get off the ground. Delay or inaction by the Commission would invite foreign competitors to attack our nation's lead in digital video technology. Andrew Lippman (*En Banc* Hearing statement at 1) states the Commission can perform a valuable service by endorsing a digital radiation standard so as to permit the hardware investment in transmitters and receivers to proceed.

Steven Rattner (*En Banc* Hearing statement at 1) notes that Wall Street will focus on certainty and flexibility in evaluating ATV developments, and that policies should be specific, clear, as simple as possible, and subject to as little change as possible. And James C. McKinney (*En Banc* Hearing statement at 1-2) and New World (at 14) recall the legendary failure of AM stereo when the Commission declined to set a standard, and urge the Commission not to repeat that blunder. And finally, in urging the Commission to return its focus to the worthy goals it established at the beginning of this process, HBO (at 4-5)

ATV, recovering substantial amounts of spectrum for other uses. Furthermore, 66 full-power 6 MHz channels cannot be accommodated in 400 MHz in any event.

⁶⁹See, e.g., Statement of Joseph A. Flaherty, CBS, *En Banc* Hearing, at 3-4; Statement of James E. Carnes, Grand Alliance, *En Banc* Hearing, at i-ii, 10; Motorola Comments at 5; Thomson Comments at 9-10; Statement of Bruce M. Allan, Thomson, *En Banc* Hearing, at 12-13; Hitachi America Comments at 7; Zenith Comments at 6; General Instrument Comments at 21-22.

recounts some of the earlier history of HDTV in the United States when concepts like "the recovery of our faith in the nation's capacity to discover and invent," and the country's ability to compete in the new global marketplace were central concepts in the race to develop HDTV.

In fact, now that the our nation has rounded the last turn with a three-length lead, with proven all-digital technology in hand that has leap-frogged earlier efforts in Japan and Europe, the only real question, we believe, is whether the Commission, and the Congress to the extent it involves itself, have the vision and will to finish the race. The Grand Alliance is confident that they do, that the Commission will provide the resolute leadership that is necessary to bring this fertile technology to the American people. We further believe that the Commission can eliminate the threats and potential barriers to this successful conclusion by reaffirming its two basic goals and clearly articulating one fundamental policy regarding the transition to ATV. Wherefore, we encourage the Commission to reaffirm its commitment to significantly upgrading the technical quality of broadcast television and to recapturing television spectrum in large contiguous blocks as soon as possible, and we urge the Commission to require that the second channel loaned to broadcasters for the purposes of implementing ATV be used predominantly for free, over-the-air television service with HDTV as the centerpiece application. With these goals and policies firmly established, the Commission can proceed

expeditiously to adopt the ATV standard recommended by its Advisory Committee,
unleashing a torrent of private investment that will soon make the vision of digital television a
reality.

Respectfully submitted,

The Digital HDTV Grand Alliance

Robert M. Rast *RR*

Robert M. Rast
Vice President, HDTV Business Development
General Instrument Corporation

Joe S. Lim *JS*

Joe S. Lim
Professor
Massachusetts Institute of Technology

J. Peter Bingham *PB*

J. Peter Bingham
President
Philips Laboratories

James E. Carnes *EC*

James E. Carnes
President, & Chief Executive Officer
David Sarnoff Research Center

Bruce M. Allan *BA*

Bruce M. Allan
Senior Vice President, Business Development
Thomson Consumer Electronics Corporation

Albin F. Moschner *AM*

Albin F. Moschner
President and Chief Executive Officer
Zenith Electronics Corporation

Robert K. Graves
R. K. Graves Associates
Technology and Policy Consultants
12701 Mill Glen Court
Clifton, VA 22024
(703) 222-0200
robertgraves@attmail.com

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